



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1
5 POST OFFICE SQUARE, SUITE 100
BOSTON, MASSACHUSETTS 02109-3912

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

**URGENT LEGAL MATTER
REQUIRES PROMPT RESPONSE**

SEP - 7 2016

Thomas A. Tyler, P.E.
Manager of Water Pollution Control
The Metropolitan District
555 Main Street
Post Office Box 800
Hartford, CT 06142-0800

Re: Clean Air Act Reporting Requirement

Dear Mr. Tyler:

The United States Environmental Protection Agency ("EPA") is issuing this Clean Air Act ("CAA" or "Act") reporting requirement to the Metropolitan District Commission ("MDC" or "the Facility") located at 231 Brainard Road in Hartford, Connecticut. The purpose of this reporting requirement is to evaluate MDC's compliance with CAA regulations that pertain to sewage sludge incineration ("SSI") units. These regulations include the *Standards of Performance for New Sewage Sludge Incineration Units* at 40 CFR Part 60, Subpart LLLL ("the NSPS").

Section 114(a)(1) of the Act, 42 U.S.C. § 7414(a)(1), gives EPA the authority to require any person who owns or operates any emission source to establish and maintain records, make reports, sample emissions, and provide such other information as may reasonably be required to enable EPA to determine whether such person is in compliance with the Act and its implementing regulations.

Reporting Requirement

MDC is required to provide all of the information outlined below within 30 days of the date MDC receives this letter. Provide a separate response to each numbered paragraph or subparagraph below. Where possible, provide responses in an electronic spreadsheet format (preferably Microsoft Excel).

- 1) Provide EPA with a copy of MDC's original cost analysis referenced in its January 29, 2016 letter to EPA in which MDC indicated it had exceeded the cost thresholds referenced in 40 CFR § 62.16045 and is subject to the NSPS.
- 2) Provide the following information for each modification (as defined in 40 CFR § 62.16045) of an SSI unit¹ that occurred between September 11, 2011 and the present:
 - a) The cumulative costs in current dollars of the changes made to each SSI unit since September 21, 2011; and
 - b) A description of any physical change to each SSI unit since September 21, 2011. Specifically, provide:
 - i) A detailed description of the modification and the reason for the modification;
 - ii) Whether the modification resulted in an actual increase in any pollutant (e.g., nitrogen oxide, carbon monoxide, particulate matter, mercury, cadmium, dioxin/furan, sulfur dioxide, hydrogen chloride); and
 - iii) The date the modification commenced².
- 3) Provide the original cost in current dollars of building and installing each SSI unit (not including the cost of land).

Be aware that if MDC does not provide the information required in this letter in a timely manner, EPA may order it to comply and may assess monetary penalties under Section 113 of the Clean Air Act. Federal law also establishes criminal penalties for providing false information to EPA. This letter is not subject to Office of Management and Budget review pursuant to the Paperwork Reduction Act, 44 U.S.C. Chapter 35.

You may assert a business confidentiality claim covering part or all of the information requested, in the manner described by 40 CFR § 2.203(b). Information covered by such a claim will be disclosed by EPA only to the extent, and by means of the procedures, set forth in 40 CFR Part 2, Subpart B. Note that certain categories of information, such as emission data, are not properly the subject of such a claim. If no such claim accompanies the information when EPA receives it, EPA may make the information available to the public without further notice to you.

Provide the above-required information to:

¹ SSI units include but are not limited to the sewage sludge feed system, auxiliary fuel feed system, grate system, flue gas system, waste heat recovery equipment, and bottom ash system. See 40 CFR § 62.10645.

² Commenced means that an owner has undertaken a continuous plan of construction or modification, or has entered into a contractual obligation to undertake and complete, within a reasonable time, a continuous program of construction or modification. See 40 CFR § 60.2.

Susan Studlien
US EPA Region 1
Mail Code OES04-2
5 Post Office Square Suite 100
Boston, Massachusetts, 02109-3912
Attn: Joan Jouzaitis

If you have any questions regarding this Reporting Requirement, please contact Joan Jouzaitis at (617) 918-1846, or have your attorney call Tom Olivier at (617) 918-1737.

Sincerely,



Susan Studlien, Director
Office of Environmental Stewardship

By electronic cc: Robert Girard, CT DEEP